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2008 MAR -7 PM 12:48  
KWH

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

July 2007 Grand Jury

'08 CR 0681 W

UNITED STATES OF AMERICA,  
Plaintiff,

v.

AGAPITO ASUNCION-DIAZ,  
Defendant.

Criminal Case No. \_\_\_\_\_

I N D I C T M E N T

Title 21, U.S.C., Secs. 952 and  
960 - Importation of Marijuana;  
Title 21, U.S.C., Sec. 841(a)(1) -  
Possession of Marijuana with  
Intent to Distribute

The grand jury charges:

Count 1

On or about February 24, 2008, within the Southern District of California, defendant AGAPITO ASUNCION-DIAZ did knowingly and intentionally import 100 kilograms and more, to wit: approximately 335.82 kilograms (738.80 pounds) of marijuana, a Schedule I Controlled Substance, into the United States from a place outside thereof; in violation of Title 21, United States Code, Sections 952 and 960.

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CJB:fer:Imperial  
3/7/08

Count 2

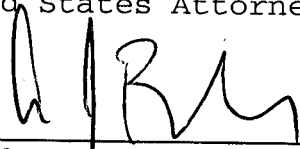
On or about February 24, 2008, within the Southern District of California, defendant AGAPITO ASUNCION-DIAZ did knowingly and intentionally possess, with intent to distribute, 100 kilograms and more, to wit: approximately 335.82 kilograms (738.80 pounds) of marijuana, a Schedule I Controlled Substance; in violation of Title 21, United States Code, Section 841(a)(1).

DATED: March 7, 2008.

A TRUE BILL:

  
Foreperson

KAREN P. HEWITT  
United States Attorney

By:   
CARLA J. BRESSLER  
Assistant U.S. Attorney